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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/765,558	01/26/2004	Gajendra Shukla	034421-000178	8147

7590

07/24/2006

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EXAMINER

CHO, HONG SOL

ART UNIT

PAPER NUMBER

2616

DATE MAILED: 07/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/765,558	Applicant(s) SHUKLA ET AL.	
	Examiner Hong Cho	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 June 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This office action is in response to the amendment filed on 6/12/2006. Claims 1 and 2 are pending in the instant application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102(e) that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Lee et al (USPUB 20050141457), hereinafter referred to as Lee.

Re claim 1, Lee discloses associating a prior access point (AP) to potential APs based on a neighborhood graph showing one or more APs fit for handoff (*associating a first AP and a second AP when the first AP and the second AP have overlapping coverage areas*, paragraph [0043], lines 5-8). Lee discloses a station sending a reassociation request message (figure 5, step 501) to AP_A (*upon establishment of a communication session between the wireless device and the first access point*, paragraph

[0061], lines 1-2) and then AP_A propagating context of a given station (figure 5, step 501) to a potential AP (*transferring information associated with the wireless device to the second access point*, paragraph [0061], lines 11-13), said transferred information including session parameters (context) relating to communication sessions between the wireless device and the wireless network such that disruption of communication between the wireless device and the wireless network during a turnover of communication with the wireless device from the first access point to the second access point is minimized (paragraph [0058], lines 7-9).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
5. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lee in view of Ritter et al (U.S 5570084), hereinafter referred to as Ritter.

Re claim 2, Lee discloses all of the limitations of the claim as shown in the rejection of claim 1, but fails to disclose associating a first AP and a gateway coupled to a second AP. Ritter discloses a system where an AP is connected to the network via a bridge/router (element 26, figure 1). It would have been obvious to one having ordinary

skill in the art at the time the invention was made to modify wireless network of Lee by adding to it a gateway coupled to an access point. The motivation to combine is to get the benefit of using a gateway in routing packets between the wireless network and the wired network or between wireless nodes serviced with different APs.

Response to Arguments

6. Applicant's arguments with respect to claims 1 and 2 have been considered but are not persuasive.

On page 4, applicants' argument on reassociation with regard to handoff seems misplaced since paragraphs [0016]-[0018] refers to a conventional handoff procedure causing reassociation delay. Lee discloses a method for reducing a reassociation delay by propagating state information of a corresponding wireless station to potential APs irrespective of a handoff process (paragraph [0043], lines 6-8).

On page 4, applicants further argue that Lee does not disclose transferring information associated with the wireless device to the second access point upon establishment of a communication session between the wireless device and the first access point. In reply, refer to the rejection of claim 1.

Conclusion


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hong Cho whose telephone number is 571-272-3087. The examiner can normally be reached on Mon-Fri during 7 am to 4 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on 571-272-3088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3088.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

hc
Hong Cho
Patent Examiner
7/13/2006


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